

## WEEKEND

Michael Sford

At the end of June 2018, Yousef Azzeh, a Palestinian from the Tel Rumeida neighborhood in Hebron, went out for his daily training session. Azzeh, who was 22 at the time, was considered one of the promising soccer players in Palestine and had even played on the national youth team. In international matches, he wore the number 18 on his jersey.

Because there are no training facilities for Palestinians in occupied Hebron, Azzeh did his daily two-hour workout on the street. The practices included running with weights attached to his arms and legs, a series of power exercises, pushups, sit-ups and then sprints without weights.

Israeli soldiers posted in Hebron knew the soccer player from Tel Rumeida, and some of them, he told me, encouraged him while he trained. Nonetheless, the attempt to create normalcy in the most abnormal place in the world was doomed to failure, and on that early summer day, the training session went awry. A group of young Jews from the settlement in the city showed up, and as Azzeh ran on the other side of the street, they shouted curses at him and took his weights, which he had left on the ground, and threw them into a garbage bin.

Noticing what was afoot, Azzeh shouted to them to return his property and called out to a nearby soldier to intervene. Within seconds the event escalated. One of the settlers shouted to Azzeh that the street belongs to the Jews and that he should go and do his training elsewhere. Someone threw a stone, which struck him in the ankle and injured him. A third settler hit him with pepper spray. The father of the latter, hearing the shouts from the street, rushed to the scene, cocked his rifle and aimed it at Azzeh. A Palestinian woman who tried to document the event was pummeled and her mobile phone was smashed; one of the Jewish youths pulled the hijab off her head.

A year after that event, I was sitting in a Tel Aviv café, going over the drafts of appeals my intern had written against decisions made by the West Bank police (called the Samaria and Judea district in Hebrew). As the legal adviser to the Israeli human rights organization Yesh Din, my law firm has for many years represented Palestinians who have been harmed by settler violence, as a service the organization provides to victims of such abuse.

We have dealt with many hundreds of cases over the years. The statistics related to the handling by police of complaints from Palestinians are depressing. Over the course of a decade and a half, consistently each year, 92 percent of the complaints were closed without any indictments. Of these, in eight of 10 cases, the closure was carried out in circumstances attesting to an investigative failure. The failures relate to basic police work: not taking evidence from eyewitnesses and getting their statements, accepting suspects' alibis without verifying them, chronic failure to search suspects' homes, disinclination to make even the slightest effort to locate suspects even when identifying details exist, careless documentation of the scene and a total absence of police lineups. One really does not need to be Sherlock Holmes in order to understand the importance of such investigative actions.

In cases where a supplemental investigation is still potentially possible, we file an appeal in the hope that someone in the law-enforcement system will actually care. In their legalistic, usually dry, language, the hundreds of appeals that we have submitted over the years are an infuriating archive of humiliating violence and brutal racism that encounter a wall of systemic indifference on the part of the authorities. And now, in Tel Aviv, the dissonance between the contents of the appeals I was reading, and the cheerful, trendy atmosphere in the café could not have been more extreme.

Among the drafts of the appeals that popped up on my laptop screen was that of the closure of Yousef Azzeh's complaint. Typically, the police officers who arrived on the scene arrested Azzeh, not his assailants. He was questioned on suspicion of assaulting the settlers—who were not questioned at all. His complaint about their violence and the theft of his weights was totally ignored. As I read the file—including the testimony of the "suspect," the statement of the soldier, who with rare honesty stated that the Israelis had fomented the provocation and instigated the violence, and the report of the police officer who came to the scene and saw that Azzeh had indeed been wounded in the leg (though the photograph he took was mysteriously missing from the file)—I had a growing feeling that I'd already heard this name: Yousef Azzeh. That this wasn't the first time I'd represented him. Yousef Azzeh, Yousef Azzeh—of course! Little Yousef. His name emerged from the cells in the rear of my brain, cut through the hundreds of Palestinians whose stories I had encountered across the years, and positioned itself in the forefront of my awareness. I remembered: Yesh Din and I had handled a case involving him 14 years earlier.

## Electrocuted, disabled

Hisham Azzeh opened the door with a broad smile. It was beyond me how someone in his situation could still be

## The new antisemites

Through the way it protects violent settlers, mishandles their attacks on Palestinians, and retroactively approves their land grabs, Israel's government, and its army and legal authorities, has always furthered the ongoing expropriation of Palestinian territories. An Israeli human-rights lawyer explains how it works



Vandalized olive trees, near Nablus, in 2013. Over the course of a decade and a half, 92 percent of Palestinians' complaints were closed without any indictments by police. AFP

smiling. From a distance, the Azzeh family's home, perched on the slope of a hill, looked quite pretty. A detached stone house set in a garden, of a design with which many Jerusalem and Hebron residences are blessed. But close up, the grimness sets in. The grapevine that surrounds the house like a fence looked dry and lifeless. It took me a minute to understand the reason for this: Someone had sawed off all the trunks connecting it to the earth. It hung in the air around the house like a ghostly presence. Above the garden, between the slope of the hill and the house's roof, the family had stretched a plastic sheet that blocked out the sky. On the sheet were piles of garbage and used diapers, which, Hisham said, had

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been thrown there by his settler-neighbors who lived at the top of the hill. The plastic sheet was intended to prevent the refuse from landing in the garden.

Hisham himself is disabled. One arm is paralyzed, the result of an event that occurred after the massacre perpetrated by Baruch Goldstein against Muslim worshippers in the Tomb of the Patriarchs in the city in 1994. A couple of days after the incident, soldiers detained Hisham randomly in the street and ordered him to climb an electricity pole and remove a PLO flag that had been hung there by local youths. He was electrocuted, and since then his arm has hung limply by his side. As he had worked as a tailor, he also lost his livelihood that day.

Now, more than a decade later, Hisham led us to the living room, where Yousef, his 9-year-old son, was waiting. The reason for our visit was that a woman who lived in one of the mobile homes in the settlement overlooking them in Tel Rumeida had attacked Yousef and broken his teeth. With the aid of Yesh Din, the family filed a complaint with the Israel Police. On that occasion, the police actually issued an indictment, but their investigative blunders would eventually (though we didn't know it at the time) lead to the suspect's acquittal. "The indecision and the difficulties," wrote the Jerusalem Magistrate's Court judge who heard the case, "could have been avoided if the police had operated in the standard way and had conducted identification lineups, whether live or by photographs, proximate to the event."

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## KKK-style

Offenses committed by Israeli citizens against Palestinians and their property in the West Bank—which recently made headlines in Israel only because of attacks that were also aimed at Jewish-Israeli human rights activists who had come to assist the Palestinians—are not only a criminal phenomenon. They are fraught with strategic implications and effectively constitute a tool that benefits Israel as it brings about politically significant, unilateral changes aimed at consolidating its rule in the territory conquered in 1967. Settler offenses are being committed on an everyday basis, throughout the West Bank, and they systematically drive Palestinians out of their living environment. Squads of settlers take over land by force, uprooting groves, beating Palestinian farmers and terrorizing whole communities. In the areas they invade, the settlers build or plant illegally and create a permanent criminal presence. This phenomenon occurs mainly in rural areas, but also in Hebron and Jerusalem.

An observer might demarcate the settlers' lines of presence based on the built-up areas of the settlements, or the ring roads that surround them—but this would be a partial and misleading picture. To understand the territorial reality, it's necessary to speak with the Palestinian farmers. They will point to the horizon and tell you that if they cross this wadi or go beyond that big tree—into an area to which they once had access—they risk being attacked by settlers. The real boundary lines, you will learn, are invisible. They are the constantly shifting lines of violence that are squeezing the Palestinians into ever-shrinking enclaves. The plot of land that was yesterday's arena of battle is seized today,

and tomorrow the adjacent plot, which is closer to the houses in the village, will become the new scene of struggle.

The data compiled by Yesh Din during the organization's 17 years of activity point to a process as consistent as it is harrowing: of the movement of the central sphere of violence from the open areas to the Palestinian villages, and in recent years even into individual homes, as gangs of settlers carry out raids in the dead of night, attacking in Ku Klux Klan style. They throw stones, smash windows and set fires. Of the almost 1,500 cases we have handled over these years, nearly half involved offenses of damage to property, a third were offenses of violence and almost all the rest, 12 percent, consisted of land takeovers. And these are only the complaints that reached Yesh Din. There are undoubtedly thousands of cases that did not reach us.

Shamefully, the attitude of Israeli authorities—all the authorities, under all the governments—toward this racist, ideological criminality is purely instrumental. Something like the Israeli government's attitude toward NSO and its Pegasus surveillance software, which, according to journalistic investigations, has been sold to despots and dictatorships around the world, who used them in their wars against journalists and dissident human rights activists. As with Pegasus, Israel's governments sometimes collaborate with the settlers' criminality and allow it, whether by a wink and a nod, or by ignoring it, and sometimes, if the public-relations damage is difficult to contain, they shed crocodile tears, issue condemnations, and promise to deal with the matter.

In fact, the evidence of how the Israeli government abets settler criminality is extensive and unequivocal. A partial list includes a policy of closing off areas in which there is "friction" (a newspeak term for violent assaults by settlers on Palestinian farmers), with the result that the thugs in the settlements get what they want, and the Palestinians' ability to work their land is restricted or denied altogether.



A young Yousef Azzeh. His family is one of the courageous ones that, despite the difficulties, has remained in its home in Tel Rumeida. Yesh Din

the diplomatic and political limitations it faces, and lawless settlers fill in the gaps. Like a crime family whose bosses preserve a respectable façade while its soldiers plunder and hurt those who stand in its way. Settler criminality prevents Palestinians' access to and use of lands, and in certain regions are producing a quiet population transfer—of families that move to other locales in search of an alternate livelihood or a safer life—and thereby vacate land that the government in turn allocates for Jewish development.

Take, for example, the case of the Evyatar outpost. In May 2021, a number of settler families invaded land that belongs municipally to the Palestinian village of Beita. They built new roads, installed infrastructure and brought in mobile homes. All their actions, down to the last of them, were illegal and lacked the necessary permits. (All settlements are illegal under international law, but this one is also illegal in terms of Israeli law.) Nine villagers have been killed to date by the army during the weekly demonstrations mounted by the inhabitants of Beita against the outpost's establishment. On July 2, 2021, the outpost's residents left, in accordance with the promise of the defense minister to examine the status of the land; should it turn out not to be privately owned by Palestinians, a yeshiva was to be established at the site, which in the future would become a civilian settlement. Recently, however, the outgoing attorney general, Avichai Mendelblit, approved a plan for declaring state lands at the site and planning a settlement there—thus making a laughingstock of the rule of law and above all showing that the government and the offenders are partners in crime. When the plan is implemented, physical continuity will be created between a number of settlements in the area, amid topographic discontinuity between Beita and its two nearest villages, Yitma and Kablan.

## 'Oneg Shabbat'

There are places in the West Bank where settlers' attacks on their neighbors have become a local pastime. There are places from which clips of settler violence stream into my mobile phone every Saturday. Indeed, the impression is that there are settlements where the tradition is that after Shabbat morning services, the congregants from the men's section set out to fulfill the "mitzvah" of throwing stones at the Palestinians from the neighboring village. Group after group of people who possess Israeli citizenship, enjoy civil rights associated with being citizens, wield political power, and have an army that safeguards and backs them, embark on a mission to steal the proverbial poor man's lamb (as per II Samuel 12): to wreak havoc on the meager livelihood of the men and women of a community who for five-and-a-half decades have been denied their civil rights, who do not vote and cannot be elected, and who have no representation in any of the centers of power where their fate is decided. People whose personal security is dependent on the readiness of soldiers and police officers, the brothers and sisters of the pogromists, to defend them against those for whom racist hooliganism is an Oneg Shabbat.

Every human rights activist in the West Bank knows that in addition to weekends, school vacations are also ripe times for trouble. For some young settlers, uprooting olive trees and stealing crops of Palestinian farmers is what watching YouTube and uploading clips to TikTok is for teens in saner places.

I look at these young people who are poisoned with racism and hatred, and at some of their elders, who are their spiritual mentors and implant in them toxic notions of Jewish supremacy, and I see all the antisemites who persecuted their forebears and mine across generations. There are moments when their faces are interchanged in my mind's eye with the faces of those who expelled the Jews from Spain, with the perpetrators of the pogroms in the steppes of Russia and Ukraine, with the torchers of synagogues in scores of other places around the world over hundreds of years. How did we produce from among us the replicas of our persecutors? What befell us that after we were liberated from our oppressors, today we are doing to others that which we hate? And how is it that this new antisemitism enjoys the support and backing of the government of the Jewish state?

In accordance with the terms of the Hebron Protocol agreement of 1997, Hebron is a divided city. The section in which the Jewish settlements are situated, with 34,000 Palestinians and about 800 Israelis, is under full Israeli control. The violence of the settlers and the IDF's support of their control of the area is one of the reasons for the negative migration of Palestinians from this part of the city, particularly from the streets that are adjacent to the settlements. The Azzeh family is one of the courageous families that, despite the difficulty, have remained in their home in Tel Rumeida.

The appeal we filed for Yousef brought about the reopening of the investigation of the attack on him while he was training, but the file was closed again, recently, on the grounds of "perpetrator unknown." After years of medical treatment, Hisham is still not working. Yousef became the family's chief provider and, as such, he had to retire the No. 18 jersey and give up his life's dream of playing for the Palestine national team.

Then there is the widespread, well-documented practice of Israel Defense Forces soldiers standing idly by in the face of settlers' lawlessness, thereby violating the clear legal obligation that devolves on them to protect those under attack and to arrest the assailants. The practice has its roots from above, with IDF officers, who may not be afraid of Iran but pee in their pants at the thought that the settlers' leaders will wield their political clout to harm their promotion prospects. Brigade commanders told me personally that they instruct their troops to leave the settlers to the police, even though they know that by the time the police arrive, the offense will have been committed and the perpetrators will have absconded.

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Another example of governmental collaboration with the settlers is the retroactive legalization of massive unlawful construction by the settlers, including the expropriation of land for that purpose (by means of a procedure termed, euphemistically, "declaration of state land"). In the past few years, the army, acting at the behest of the political echelon, has "koshered" dozens of settler outposts and neighborhoods, all of them built without construction permits and contrary to the master plans in force. The clear message this sends to the settlers is that the law limiting the takeover of land and construction on it is meant for the Palestinians, not for them, and that if they do build, they will receive retroactive legitimacy, and even without permits; no one will act to remove them, and the army will protect them and allow their illegal presence at the site. Another element is the acceptance of the low professional level of the law-enforcement agencies that are supposed to do battle against the settlers' criminality—indeed, the West Bank police are a type of lifeless scarecrow, a cardboard force intended for photo-ops only. Furthermore, the outposts and the Jewish farms from which emanate the worst pogroms against Palestinian communities receive political support and public funding.

Here is how the synergy in the work of the dispossession and judaization of the West Bank is achieved: The government of Israel does what it can in an orderly, official and open manner within